

UTILITIES SERVICE BOARD MEETING

June 16, 2003

UTILITIES SERVICE BOARD MEETINGS ARE RECORDED ELECTRONICALLY OR STENOGRAPHICALLY AND ARE AVAILABLE DURING REGULAR BUSINESS HOURS IN THE OFFICE OF THE DIRECTOR OF UTILITIES.

Board President Swafford called the regular meeting of the Utilities Service Board to order at 5:02 p.m.

Board members present: Tom Swafford, Jeff Ehman, Jeff White, Sam Vaught, Tim Henke, and ex-officio member Dave Rollo. Staff members present: Margaret Dalle-Ave, Julie Martindale, Nathan Schulte, John Langley, Steve Drake, Jonathan Heald, Kai Schnippe, Tom Staley, Laurel Pierrard, and City of Bloomington Corporation Counsel Linda Runkle. Also present: Adam Orlando, David Satovsky, and Jay Kincaid.

ROLL CALL:

5 members present.

MINUTES:

VAUGHT MOVED AND HENKE SECONDED THE MOTION TO APPROVE THE MINUTES OF THE JUNE 2, 2003, MEETING AS PRESENTED. MOTION CARRIED. 5 AYES. 2 MEMBERS ABSENT (EHERENMAN AND MURPHY).

CLAIMS:

Board members Vaught asked for an explanation of claim number 0330585. Assistant Engineer Heald will review and report back with the answers. Board President Swafford requested an update report on flow meters. Assistant Engineer Schulte stated that a report had been received and would be presented to the Board at a future meeting.

VAUGHT MOVED AND EHMAN SECONDED THE MOTION TO APPROVE THE CLAIMS AS FOLLOWS:

CLAIMS 0390870 THROUGH 0390239 INCLUDING \$221,686.50 FROM THE WATER OPERATIONS & MAINTENANCE FUND AND \$800,792.75 FROM THE WATER SINKING FUND FOR A TOTAL OF \$1,022,479.25 FROM THE WATER UTILITY; CLAIMS 03300567 THROUGH 0330610 INCLUDING \$226,898.60 FROM THE WASTEWATER OPERATIONS & MAINTENANCE FUND AND \$616,783.14 FROM THE WASTEWATER SINKING FUND FOR A TOTAL OF \$843,681.74 FROM THE FROM THE WASTEWATER UTILITY; AND VARIOUS CLAIMS 0390602 AND 0390871 THROUGH 0390917 INCLUDING \$5,749.42 FROM THE WASTEWATER/STORMWATER FUND FOR A TOTAL OF \$5,749.52 FROM THE STORMWATER UTILITY. TOTAL CLAIMS

APPROVED – \$1,817,910.41. MOTION CARRIED. 5 AYES. 2 MEMBERS ABSENT (EHERENMAN AND MURPHY).

PETITION BEFORE THE INDIANA UTILITIES REGULATORY COMMISSION:

Corporation Counsel Linda Runkle informed Board members that a petition was filed on May 20, 2003, with the Indiana Utilities Regulatory Commission (IURC) by residential and commercial customers. The primary group is the Bloomington Country Club. The City of Bloomington Legal Department will be representing the Utilities Department in this matter and will be assisted by Ice Miller of Indianapolis. This petition cites unreasonable, unjustly, and discriminatory irrigation rates. The rate was reviewed and approved by the Utilities Service Board, City of Bloomington Common Council and the IURC. The meetings at which time this new rate was discussed were legally advertised and posted. A Motion to Dismiss will be filed on June 17, 2003. The Board will be kept updated in the progress of this matter.

DECLARATION OF SURPLUS EQUIPMENT AND MATERIALS:

Purchasing Manager Martindale presented Board members with a list of equipment, supplies, and vehicles that she would like the Board to declare surplus so they could be taken to a public auction for disposal. (A copy of the list is attached to the minutes.)

VAUGHT MOVED AND HENKE MOVED TO APPROVE THE LIST OF ITEMS TO BE DECLARED SURPLUS AS PRESENTED BY THE PURCHASING DEPARTMENT. MOTION CARRIED. 5 AYES. 2 MEMBERS ABSENT (EHERENMAN AND MURPHY).

FUNDING REQUESTS:

S03-4711 – Lakewood Ct. Sanitary Sewer Replacement. Estimated cost - \$48,370.00

WHITE MOVED AND EHMEN SECONDED THE MOTION TO APPROVE FUNDING REQUEST S03-4711. MOTION CARRIED. 5 AYES. 2 MEMBERS ABSENT (EHERENMAN AND MURPHY).

S02-4603C – Fieldstone Lift Station Regionalization. Estimated cost - \$1,128,500.00.

Assistant Engineer Schulte reported that the Indiana Department of Transportation will reimburse CBU in an amount of approximately \$590,000.00.

HENKE MOVED AND WHITE SECONDED THE MOTION TO APPROVE FUNDING REQUEST S02-4603C. MOTION CARRIED. 5 AYES. 2 MEMBERS ABSENT (EHERENMAN AND MURPHY).

Board member Murphy arrived at the meeting at this time.

WS03-8304 – Curry Pike, Phase V. Estimated cost - \$100,000.00.

Assistant Engineer Schulte reported that CBU will be reimbursed for an amount estimated at \$65,000.00 for conflicts within an area that the City has a recorded easement.

EHMAN MOVED AND VAUGHT SECONDED THE MOTION TO APPROVE FUNDING REQUEST WS03-8304. MOTION CARRIED. 6 AYES. 1 MEMBER ABSENT (EHERENMAN).

ADDENDUM TO AGREEMENT FOR CONSULTING SERVICES – REPLACEMENT OF MONROE COUNTY BRIDGES 902 & 917 – WALNUT STREET AT FIRST STREET OVER CLEAR CREEK. MOTION CARRIED. 6 AYES. 1 MEMBER ABSENT (EHERENMAN).

OLD BUSINESS:

No old business was presented.

NEW BUSINESS:

No new business was presented.

SUBCOMMITTEE REPORTS:

No subcommittee reports were presented.

STAFF REPORTS:

John Langley –

Assistant Director Langley reported that a total of 2.95 inches of rain was recorded at the Dillman Road Wastewater Treatment Plant between 6:00 a.m. and 12:00 noon on June 16, 2003. Both equalization basins were used. Mr. Langley stated that he believed all the water was handled very well by the basins. Mr. Langley thanked Board members for their funding of the equalization basins project.

PETITIONS AND COMMUNICATIONS:

Adam Orlando –

Adam Orlando stated that he and his roommates live at 822 East 11th Street. They received a bill for \$529.82 which they feel was excessive. Mr. Orlando states that he was not notified of excessive usage and that the meter was not read for three (3) months due to bad weather. Jay Kincaid, owner of the property, stated that if there had been a notification, the repair would have been made. This matter was reviewed by the Administrative Subcommittee on May 14, 2003. The Subcommittee recommended denial of the request for an adjustment because of the following:

- The meter was tested and found to be working properly.

- Since the meter was working properly and water actually went through the meter, no adjustment is allowed by the IURC.
- There was a problem with the toilet, and this was not repaired by the tenants or owner.
- The water actually went to the sewer.

The Utilities Service Board approved the recommendation of the Administrative Subcommittee on May 19, 2003. The customer was notified that no adjustment could be made on either the water or wastewater charges. The customer was notified of this decision by letter dated May 19, 2003.

The customers were informed by Board members that no adjustment could be made for the reasons stated in the May 19, 2003, letter; however, Board members did agree to waive the late charges charged to this account. The customers were advised to contact the Customer Relations Department to make arrangements for a payment agreement to take care of this matter.

Board members were presented with copies of the following items:

- A press release regarding Fitch Rating for the City of Bloomington Utilities Department in the matter of the \$10,400,000.00 waterworks refunding revenue bonds of 2003.
- A letter from Tom and Melissa Ward stating their appreciation to Jonathan Heald for his help with a drainage problem in their back yard.

(Copies of both the press release and letter are attached to the minutes.)

ADJOURNMENT:

The meeting was adjourned at 6:21 p.m.

L. Thomas Swafford, President